

IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF PENNSYLVANIA

LOUIS F. BOTTORFF,
Petitioner

v.

STATE OF FLORIDA,
Respondent

FILED
MAY 17 2001
MARY E. D'ANDREA, CLERK
Per Deputy Clerk

In re: The State of Florida
Criminal Justice Division E
Case Nos.: 85-13671; 86-4012;
86-5268.

1
99
5-17-01

PETITION FOR WRIT OF HABEAS CORPUS CUM CAUSA

PURSUANT TO TITLE 28, UNITED STATES CODE - JUDICIARY AND JUDICIAL PROCEDURE

CHAPTER 153. HABEAS CORPUS §§ 2241 & 2254

Pursuant to the above, I, Louis F. Bottorff, petitioner/plaintiff to this cause, do hereby assert standing in opposition to the conditions attached to the above-styled criminal cases' sentences imposed In The Circuit Court of the Thirteenth Judicial Circuit of the State of Florida, In and For Hillsborough County, on October 21, 1986; and shows this Court -

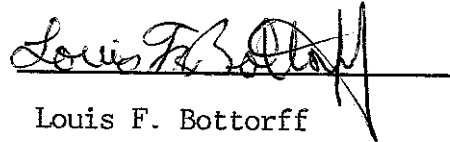
- 1) Petitioner prays this Court take judicial notice of this show cause writ and sit in equity to review and administer justice in fairness.
- 2) Attached hereto; a true copy of the statement of the State of Florida's ORDER denying requested court documents the petitioner justifiably needs and has unqualified rights to. The statement includes an ORDER denying leave to file for postconviction relief, and finally, the Court's judgment.
- 3) Additional attachments include copies of petitioner's appeal of said ORDERS therefor, and motion for attorney.
- 4) As a result, petitioner concludes he cannot proceed pro se.

WHEREFORE, petitioner prays this Court hold hearing(s) on these matters determining these pending State sentences are in violation of Amendment VIII to the Constitution of the United States of America.

FURTHERMORE, petitioner requests his presence be witness to these hearing(s) and finally, requests competent assistance of counsel who will have accessed all remedies on behalf of the petitioner in preparation for hearing.

DONE AND DATED THIS THE 16 DAY OF MAY, 2001.

Respectfully submitted,



Louis F. Bottorff

Reg. # 06324-018

United States Penitentiary

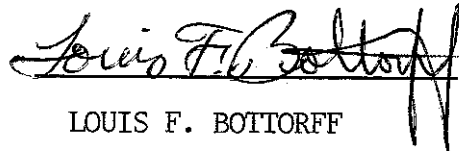
PO Box 1000

Lewisburg, PA 17837

THE

FOREGOING PETITION IS MADE A PART OF THE FEDERAL GOVERNMENT FORM - AO241 - PETITION
UNDER 28 USC § 2254 FOR WRIT OF HABEAS CORPUS BY A PERSON IN STATE CUSTODY WHICH IS

HEREWITH INCLUDED



LOUIS F. BOTTORFF

REQUEST FOR
JUDICIAL NOTICE OF ADJUDICATIVE FACTS

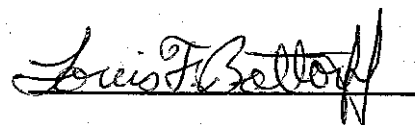
IT IS AN UNDISPUTABLE FACT that the Bill of Rights, i.e., the first ten amendments to the Constitution of the United States of America, made the constitution acceptable to the states of the Union.

These common law rights the defendant requests the Court take notice; Amendment Five's protection against Double Jeopardy (made applicable to the States through Amendment Fourteen); Amendment Eight's protection against inflicting cruel and unusual punishment; (defendant requests the Court take notice that the term - "excessive" can apply to punishment); AND the Sixth Amendment.

WHEREFORE, defendant invokes these full rights and all other applicable rights, **as of right**; respectfully requesting the Court consider this application for postconviction relief in light of common law; and equity.

WHEREAS, the defendant requests the Court construe this application taking notice that the defendant is proceeding "pro se", unless it is appropriate that the defendant be appointed counsel for the purpose of furthering this due process effort with that protection, and if not; requests the Court apply a less stringent standard of review.

Respectfully submitted this the 16 day of May, 2001.



Louis F. Bottorff

THE DEFENDANT PLED GUILTY IN ALL THE FOLLOWING LISTED CASES TO ALL COUNTS EXCEPT ONE, WHICH WAS NOLLE PROSSED.

86-4012

COUNT ONE ... BURGLARY ... F.S. 810.02 -- SENTENCE OF FIVE YEARS -
CONCURRENT TO COUNT TWO AND CONCURRENT TO CASE NO. 86-5268.

COUNT TWO ... GRAND THEFT IN THE SECOND DEGREE ... F.S. 812.014(2)(b) --
SENTENCE OF FIVE YEARS - CONCURRENT WITH COUNT ONE.

85-13671

COUNT ONE ... NOLLE PROSSED.

COUNT TWO ... BURGLARY ... F.S. 810.02 -- SENTENCE OF FIVE YEARS -
CONCURRENT WITH COUNT THREE ... CONCURRENT WITH CASES NOS. 86-4012 &
86-5268 - BUT CONSECUTIVE TO ANY SENTENCED IN FEDERAL COURT.

COUNT THREE ... DEALING IN STOLEN PROPERTY ... F.S. 812.019(1) --
SENTENCE OF FIVE YEARS - CONCURRENT WITH COUNT TWO.

86-5268

COUNT ONE ... ARMED BURGLARY ... F.S. 810.02 -- SENTENCE OF SEVEN
YEARS - WITH A THREE YEAR MANDATORY MINIMUM FOR POSSESSION OF A FIRE-
ARM ... F.S. 775.087(2) - CONSECUTIVE TO FEDERAL SENTENCE.

COUNT TWO ... ARMED ROBBERY ... F.S. 812.13(2)(a) -- SENTENCE OF
SEVEN YEARS - CONCURRENT WITH COUNTS ONE & THREE.

COUNT THREE ... ARMED ROBBERY ... F.S. 812.13(2)(a) -- SENTENCE OF
SEVEN YEARS - CONCURRENT WITH COUNTS ONE & TWO.

AO 241
REV 6/82PETITION UNDER 28 USC § 2254 FOR WRIT OF
HABEAS CORPUS BY A PERSON IN STATE CUSTODY

(If petitioner is attacking a judgment which imposed a sentence to be served in the future, petitioner must fill in the name of the state where the judgment was entered. If petitioner has a sentence to be served in the future under a federal judgment which he wishes to attack, he should file a motion under 28 U.S.C. § 2255, in the federal court which entered the judgment.)

PETITION FOR WRIT OF HABEAS CORPUS BY A PERSON IN STATE CUSTODY

Instructions—Read Carefully

- (1) This petition must be legibly handwritten or typewritten, and signed by the petitioner under penalty of perjury. Any false statement of a material fact may serve as the basis for prosecution and conviction for perjury. All questions must be answered concisely in the proper space on the form.
- (2) Additional pages are not permitted except with respect to the facts which you rely upon to support your grounds for relief. No citation of authorities need be furnished. If briefs or arguments are submitted, they should be submitted in the form of a separate memorandum.
- (3) Upon receipt of a fee of \$5 your petition will be filed if it is in proper order.
- (4) If you do not have the necessary funds for transcripts, counsel, appeal, and other costs connected with a motion of this type, you may request permission to proceed *in forma pauperis*, in which event you must execute form DC 12, setting forth information establishing your inability to pay the costs. If you wish to proceed *in forma pauperis*, you must have an authorized officer at the penal institution complete the certificate as to the amount of money and securities on deposit to your credit in any account in the institution. If your personal account exceeds \$_____, you must pay the filing fee as required by the rule of the district court.
- (5) Only judgments entered by one court may be challenged in a single petition. If you seek to challenge judgments entered by different courts either in the same state or in different states, you must file separate petitions as to each court.
- (6) Your attention is directed to the fact that you must include all grounds for relief and all facts supporting such grounds for relief in the petition you file seeking relief from any judgment of conviction.
- (7) When the petition is fully completed, the original and at least two copies must be mailed to the Clerk of the United States District Court whose address is
- (8) Petitions which do not conform to these instructions will be returned with a notation as to the deficiency.

AO 241
REV 6/82PETITION UNDER 28 USC § 2254 FOR WRIT OF
HABEAS CORPUS BY A PERSON IN STATE CUSTODY

United States District Court		District MIDDLE OF PENNSYLVANIA
Name LOUIS F. BOTTORFF	Prisoner No. 06324-018	Docket No. 85-13671; 86-4012; 86-5268.
Place of Confinement UNITED STATES PENITENTIARY PO BOX 1000 LEWISBURG, PA 17837		
Name of Petitioner (include name upon which convicted) LOUIS F. BOTTORFF		Name of Respondent (authorized person having custody of petitioner) STATE OF FLORIDA
The Attorney General of the State of: FLORIDA		
PETITION		
1. Name and location of court which entered the judgment of conviction under attack <u>THIRTEENTH JUDICIAL</u> <u>CIRCUIT COURT, HILLSBOROUGH CO., PO BOX 1110, TAMPA, FL 33601</u>		
2. Date of judgment of conviction <u>OCTOBER 21, 1986</u>		
3. Length of sentence <u>PLEASE REFER TO PAGE 1A</u>		
4. Nature of offense involved (all counts) _____ <u>REFER TO 1A</u> _____ _____		
5. What was your plea? (Check one) (a) Not guilty <input type="checkbox"/> (b) Guilty <input checked="" type="checkbox"/> (c) Nolo contendere <input type="checkbox"/> If you entered a guilty plea to one count or indictment, and a not guilty plea to another count or indictment, give details: <u>N/A</u> _____ _____		
6. Kind of trial: (Check one) (a) Jury <input type="checkbox"/> (b) Judge only <input checked="" type="checkbox"/>		
7. Did you testify at the trial? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
8. Did you appeal from the judgment of conviction? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		

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9. If you did appeal, answer the following:

- (a) Name of court N/A
- (b) Result _____
- (c) Date of result _____
- (d) Grounds raised _____
- _____
- _____
- _____

10. Other than a direct appeal from the judgment of conviction and sentence, have you previously filed any petitions, applications, or motions with respect to this judgment in any court, state or federal?
 Yes ☒ No ☐

11. If your answer to 10 was "yes," give the following information:

- (a) (1) Name of court SAME SEE ATTACHMENTS
- (2) Nature of proceeding MOTION FOR PRODUCTION OF RECORDS; MOTION FOR LEAVE TO
FILE POSTCONVICTION REMEDIES - DENIED
- (3) Grounds raised _____
- _____
- _____
- _____
- (4) Did you receive an evidentiary hearing on your petition, application or motion?
 Yes ☐ No ☒
- (5) Result _____
- (6) Date of result _____
- (b) As to any second petition, application or motion give the same information:
- (1) Name of court SAME SEE ATTACHMENTS
- (2) Nature of proceeding APPEAL OF DENIED MOTIONS OF NO. 11 ABOVE
- _____

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REV 6/82(3) Grounds raised _____

(4) Did you receive an evidentiary hearing on your petition, application or motion?

Yes ☐ No ☒

(5) Result _____

(6) Date of result _____

(c) As to any third petition, application or motion, give the same information:

(1) Name of court _____

(2) Nature of proceeding _____ N/A

(3) Grounds raised _____

(4) Did you receive an evidentiary hearing on your petition, application or motion?

Yes ☐ No ☐

(5) Result _____

(6) Date of result _____

(d) Did you appeal to the highest state court having jurisdiction the result of action taken on any petition, application or motion?

(1) First petition, etc. Yes ☒ No ☐(2) Second petition, etc. Yes ☐ No ☐(3) Third petition, etc. Yes ☐ No ☐(e) If you did *not* appeal from the adverse action on any petition, application or motion, explain briefly why you did not:_____

_____12. State *concisely* every ground on which you claim that you are being held unlawfully. Summarize *briefly* the facts supporting each ground. If necessary, you may attach pages stating additional grounds and *facts* supporting same.CAUTION: In order to proceed in the federal court, you must ordinarily first exhaust your available state court remedies as to each ground on which you request action by the federal court. If you fail to set forth all grounds in this petition, you may be barred from presenting additional grounds at a later date.

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REV 6/82

For your information, the following is a list of the most frequently raised grounds for relief in habeas corpus proceedings. Each statement preceded by a letter constitutes a separate ground for possible relief. You may raise any grounds which you may have other than those listed if you have exhausted your state court remedies with respect to them. However, *you should raise in this petition all available grounds* (relating to this conviction) on which you base your allegations that you are being held in custody unlawfully.

Do not check any of these listed grounds. If you select one or more of these grounds for relief, you must allege facts. The petition will be returned to you if you merely check (a) through (j) or any one of these grounds.

- (a) Conviction obtained by plea of guilty which was unlawfully induced or not made voluntarily with understanding of the nature of the charge and the consequences of the plea.
- (b) Conviction obtained by use of coerced confession.
- (c) Conviction obtained by use of evidence gained pursuant to an unconstitutional search and seizure.
- (d) Conviction obtained by use of evidence obtained pursuant to an unlawful arrest.
- (e) Conviction obtained by a violation of the privilege against self-incrimination.
- (f) Conviction obtained by the unconstitutional failure of the prosecution to disclose to the defendant evidence favorable to the defendant.
- (g) Conviction obtained by a violation of the protection against double jeopardy.
- (h) Conviction obtained by action of a grand or petit jury which was unconstitutionally selected and impaneled.
- (i) Denial of effective assistance of counsel.
- (j) Denial of right of appeal.

CONVICTION OBTAINED THROUGH INDUCED GUILTY PLEA RESULTING FROM A DIS-
 A. Ground one: ~~HONORED PLEA AGREEMENT WHICH STATED THAT ALL STATE SENTENCES WOULD~~
~~RUN CONCURRENT WITH EACH OTHER AND CONCURRENT WITH THE FEDERAL SENTENCE PETITIONER~~
~~IS NOW SERVING. THE SENTENCING COURT DENIED THE AGREED UPON STIPULATION, THEREBY~~
~~ORDERING STATE SENTENCES RUN CONSECUTIVE TO SAID FEDERAL SENTENCE.~~

Supporting FACTS (tell your story *briefly* without citing cases or law): _____

**** PETITIONER RESERVES THE RIGHT TO ALLEGE AND SUBSTANTIATE FACTS IN LIEU OF RE-**
CEIVING PERTINENT, REQUESTED DOCUMENTS FROM THE FLORIDA CIRCUIT COURT AND RE-
SERVES RIGHTS IN LIEU OF RECEIVING REQUESTED ASSISTANCE OF COUNSEL.

B. Ground two: **THE SENTENCING COURT ABUSED DISCRETION WHEN IMPOSING SENTENCES**
TO BE SERVED BEGINNING TWENTY-FIVE YEARS IN THE FUTURE.

Supporting FACTS (tell your story *briefly* without citing cases or law): _____

**** SAME RESERVATIONS AS ABOVE**

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

LOUIS F. BOTTORFF,
Petitioner
v.

STATE OF FLORIDA,
Respondent

In re: The State of Florida
Criminal Justice Division E
Case Nos.: 85-13671; 86-4012;
86-5268.
Hillsborough County

MEMORANDUM OF COMMON LAW IN SUPPORT OF
§ 2254 PETITION FOR WRIT OF HABEAS CORPUS

Pursuant to the Eighth Amendment to the Constitution of the United States of America, regarding "excessive punishment", the petitioner suggests that a sentencing Court has a duty to weigh all the factors which would contribute to sentence length, being especially wary of factors which would substantially increase the sentence over the maximum thus making the sentence unduly harsh or impermissibly oppressive.

In this case the Court knew the defendant had already been sentenced to a term of twenty-five years in federal prison and had the choice of running the sentences either concurrent or consecutive. And, unfortunately for the petitioner, chose the latter.

Besides punishment, another aim of the sentencing Court is that somehow the defendant is made aware of the contrariness of his behavior; that he then would become a better citizen who respects society in every regard.

In this case punishment and rehabilitation have occurred during the past fifteen years of the petitioner's incarceration. Petitioner asks the Court to consider that he has literally grown-up in a controlled environment made for that purpose.

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- C. Ground three: THE COURT LOST ALL JURISDICTION OVER THE DEFENDANT WHEN RELIN-
QUISHING JURISDICTION TO THE FEDERAL GOVERNMENT FOR THE PURPOSE OF DEFENDANT
SERVING A PRESUMPTIVE TWENTY-FIVE YEAR SENTENCE.

Supporting FACTS (tell your story *briefly* without citing cases or law): _____

- ** PETITIONER RESERVES THE RIGHT TO ALLEGE AND SUBSTANTIATE FACTS IN LIEU OF**
RECEIVING PERTINENT, REQUESTED DOCUMENTS FROM THE FLORIDA CIRCUIT COURT AND
RESERVES RIGHTS IN LIEU OF RECEIVING REQUESTED ASSISTANCE OF COUNSEL.

- D. Ground four DENIAL OF EFFECTIVE ASSISTANCE OF COUNSEL

Supporting FACTS (tell your story *briefly* without citing cases or law): _____

- ** SAME AS ABOVE**

13. If any of the grounds listed in 12A, B, C, and D were not previously presented in any other court, state or federal, state *briefly* what grounds were not so presented, and give your reasons for not presenting them: _____

PETITIONER STATES THAT NONE OF THESE HAS BEEN RAISED IN ANY PROCEEDING ON
HIS BEHALF; THAT HE WAS IGNORANT OF THE FACT THAT HE COULD.

14. Do you have any petition or appeal now pending in any court, either state or federal, as to the judgment under attack?
 Yes ☐ No ☒

15. Give the name and address, if known, of each attorney who represented you in the following stages of the judgment attacked herein:

(a) At preliminary hearing UNKNOWN

(b) At arraignment and plea UNKNOWN

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REV 6/82(c) At trial UNKNOWN(d) At sentencing UNKNOWN(e) On appeal N/A(f) In any post-conviction proceeding N/A

(g) On appeal from any adverse ruling in a post-conviction proceeding _____

16. Were you sentenced on more than one count of an indictment, or on more than one indictment, in the same court and at the same time?

Yes ☒ No ☐

17. Do you have any future sentence to serve after you complete the sentence imposed by the judgment under attack?

Yes ☒ No ☐

(a) If so, give name and location of court which imposed sentence to be served in the future: _____

SIXTH JUDICIAL CIRCUIT COURT, PASCO CO. GOVT. CIR.,
7530 LITTLE RD., NEW PORT RICHEY, FL 33553

(b) Give date and length of the above sentence: _____

12-12-87; TWO ELEVEN YEAR SENTENCES; CONSECUTIVE TO EACH OTHER AND CONSECUTIVE
TO THE FEDERAL SENTENCE PETITIONER IS SERVING NOW.

(c) Have you filed, or do you contemplate filing, any petition attacking the judgment which imposed the sentence to be served in the future?

Yes ☒ No ☐

Wherefore, petitioner prays that the Court grant petitioner relief to which he may be entitled in this proceeding.

Signature of Attorney (if any)

I declare under penalty of perjury that the foregoing is true and correct. Executed on

May 16, 2001
(date)Louis F. Seltzer
Signature of Petitioner

IN THE CIRCUIT COURT OF THE THIRTEENTH JUDICIAL CIRCUIT OF THE
STATE OF FLORIDA, IN AND FOR HILLSBOROUGH COUNTY
CRIMINAL JUSTICE DIVISION

STATE OF FLORIDA

vs.

CASE NOS. 85-13671; 86-4012;
86-5268

LOUIS F. BOTTORFF

DIVISION: E

ORDER DENYING MOTION TO PRODUCE RECORDS
ORDER DENYING MOTION FOR LEAVE TO FILE POST CONVICTION RELIEF

Defendant pled guilty to several felony offenses in the above cases on 21 October 1986. The Court sentenced him to various concurrent terms of incarceration of five (5) and seven (7) years. The Defendant did not appeal.

He is apparently now serving a federal sentence, and filed a pro se motion wherein he asks the Court to order the Clerk to produce "the entire record" of his cases.

Defendant is not entitled to copies of records or transcripts to peruse to search for a possible post conviction issue. He is not entitled to relief as to this request.


A Defendant has two (2) years from the date that the judgment and sentence come final within which to seek relief pursuant to Fla.R.Cr.P. 3.850. His judgments became final in 1986. He is not entitled to relief as to this request.

Moreover, the court reporter's notes have been destroyed, and the Court files have been reduced to microfiche.

Defendant's motions are DENIED.

Defendant has thirty (30) days within to appeal this Order.

DONE AND ORDERED in Chambers, at Tampa, Hillsborough County,
Florida, this 27 day of April, 2001.



WILLIAM FUENTE
Circuit Judge

ATTACHMENTS:
Judgment and Sentence documents

Copies furnished to:

LOUIS F. BOTTORFF, #06324-018
United States Penitentiary
P.O. Box 1000
Lewisburg, PA 17837

/WF

1a

(Applicable if checked)

The Court hereby stays and withholds the imposition of sentence as to counts: _____

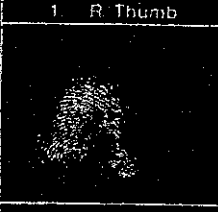
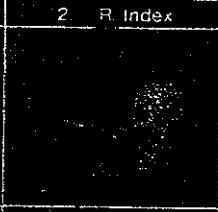
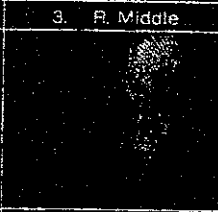
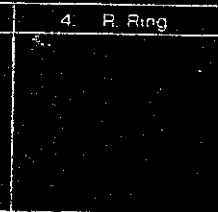
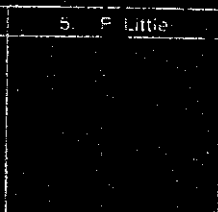




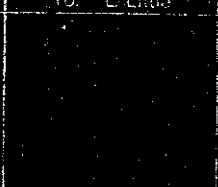
The Court hereby defers imposition of sentence until _____

The Court places the Defendant on Probation for a period of _____ under the supervision of the Department of Corrections (conditions of probation set forth in separate order).

The Court places the Defendant in Community Control for a period _____ under the supervision of the Department of Corrections (conditions of community control set forth in separate order).

The Defendant in Open Court was advised of his right to appeal from this Judgment by filing notice of appeal with the Clerk of Court within thirty days following the date sentence is imposed or probation/community control is ordered pursuant to this adjudication. The Defendant was also advised of his right to the assistance of counsel in taking said appeal at the expense of the State upon showing of indigency.

FINGERPRINTS OF DEFENDANT

1. R. Thumb	2. R. Index	3. R. Middle	4. R. Ring	5. R. Little
				
6. L. Thumb	7. L. Index	8. L. Middle	9. L. Ring	10. L. Little
				

Fingerprints taken by:

Thomas J. [Signature]
Name and Title

DONE AND ORDERED in Open Court at Hillsborough County, Florida, this _____ 21st _____ day of
OCTOBER _____ A.D., 19 86. I HEREBY certify that the above and foregoing fingerprints are the fingerprints of the Defendant LOUIS FRANCIS BOTTOREFF a/k/a LEWIS BOTTOREFF and that they were placed thereon by said Defendant in my presence in Open Court this date.

[Signature]
JUDGE

Order Book 140-111-126

2

Defendant LOUIS FRANCIS BOTTOFF
W/L LEWIS BOTTOFFCase Number 85-11671-E**SENTENCE**(As to Count TWO)

The Defendant, being personally before this Court, accompanied by his attorney MICHAEL WILLIAM LEIRON, ESQUIRE, and having been adjudicated guilty herein, and the Court having given the Defendant an opportunity to be heard and to offer matters in mitigation of sentence, and to show cause why he should not be sentenced as provided by law, and no cause being shown:

☐ and the Court having on _____ deferred imposition of sentence until this date _____ (date)

(Check either provision if applicable)

☐ and the Court having placed the Defendant on probation and having subsequently revoked the Defendant's probation by separate order entered herein.

☐ and the Court having placed the Defendant in community control and having subsequently revoked the Defendant's community control by separate order entered herein.

IT IS THE SENTENCE OF THE LAW that:

- ☐ The Defendant pay a fine of \$ _____, plus \$ _____ as the 5% surcharge required by F.S. 950.25.
- ☒ The Defendant is hereby committed to the custody of the Department of Corrections.
- ☐ The Defendant is hereby committed to the custody of the Sheriff of Hillsborough County, Florida.
- (Name of local corrections authority to be inserted at printing, if other than Sheriff.)
- To be imprisoned (check one; unmarked sections are inapplicable)

☐ For a term of Natural Life

☒ For a term of FIVE (5) YEARS WITH CREDIT TIME

☐ For an indeterminate period of 6 months to _____ years

☐ Followed by a period of _____ on probation under the supervision of the Department of Corrections according to the terms and conditions of probation set forth in a separate order entered herein.

If "split" sentence, complete either of these two paragraphs

☐ However, after serving a period of _____ independent in _____ the balance of such sentence shall be suspended and the Defendant shall be placed on probation for a period of _____ under supervision of the Department of Corrections according to the terms and conditions of probation set forth in a separate order entered herein.

SPECIAL PROVISIONS

By appropriate notation, the following provisions apply to the sentence imposed in this action:

Firearm - 3 year mandatory minimum ☐ It is further ordered that the 3 year minimum provisions of F.S. 775.087(2) are hereby imposed for the sentence specified in this count, as the Defendant possessed a firearm.

Drug Trafficking - mandatory minimum ☐ It is further ordered that the _____ year minimum provisions of F.S. 893.13(1)(b) are hereby imposed for the sentence specified in this count.

Retention of Jurisdiction ☐ The Court pursuant to F.S. 947.16(3) retains jurisdiction over the defendant for review of any Parole Commission release order for the period of _____. The requisite findings by the Court are set forth in a separate order or stated on the record in open court.

Habitual Offender ☐ The Defendant is adjudged a habitual offender and has been sentenced to an extended term in this sentence in accordance with the provisions of F.S. 775.054(4)(c). The requisite findings by the court are set forth in a separate order or stated on the record in open court.

Jail Credit ☒ It is further ordered that the Defendant shall be allowed a total of 241 DAYS credit for such time as he has been incarcerated prior to imposition of his sentence. Such credit reflects the following periods of incarceration (optional):

Consecutive or Concurrent It is further ordered that the sentence imposed for this count shall run ☒ consecutive to ☒ concurrent with (check one) the sentence set forth in count THREE above.

3

Defendant LOUIS FRANCIS BUTTORFF
a/k/a LEWIS BUTTORFF

Case Number 85-13671-E

Consecutive/
 Concurrent
 (As to other
 convictions)

It is further ordered that the composite term of all sentences imposed for the counts specified in this order shall run ☒ consecutive to ~~any~~ concurrent with (check one) the following:

☐ Any active sentence being served.

☒ Specific sentences: CONCURRENT WITH - 86-4012 & 86-5268
BUT CONSECUTIVE TO ANY SENTENCED IN FEDERAL COURT

In the event the above sentence is to the Department of Corrections, the Sheriff of Hillsborough County, Florida is hereby ordered and directed to deliver the Defendant to the Department of Corrections together with a copy of this Judgment and Sentence.

The Defendant in Open Court was advised of his right to appeal from this Sentence by filing notice of appeal within thirty days from this date with the Clerk of this Court, and the Defendant's right to the assistance of counsel in taking said appeal at the expense of the State upon showing of indigency.

In imposing the above sentence, the Court further recommends SENTENCING GUIDELINES FILED IN 86-5268.

COURT HAS NO OBJECTION FOR DEFENDANT TO BE TURNED OVER TO FEDERAL MARSHALL TO BEGIN
FEDERAL SENTENCE.

DONE AND ORDERED in Open Court at Hillsborough County, Florida, this 21st day of
OCTOBER, A.D., 19 86.


 JUDGE

2

Defendant LOUIS FRANCIS BOTTORFF
s/k/a LEWIS BOLTTOFF

Case Number 85-13671-E

SENTENCE

(As to Count THREE)

The Defendant, being personally before this Court, accompanied by his attorney, MICHAEL WILLIAM LEBRON,
ESQUIRE and having been adjudicated guilty herein, and the Court having given the Defendant an opportunity
 to be heard and to offer matters in mitigation of sentence, and to show cause why he should not be sentenced as provided by law
 and no cause being shown.

(Check either provision
 if applicable)

- ☐ and the Court having on _____ (date) deferred imposition of sentence
 until this date.
- ☐ and the Court having placed the Defendant on probation and having subsequently revoked the
 Defendant's probation by separate order entered herein.

IT IS THE SENTENCE OF THE LAW that:

- ☐ The Defendant pay a fine of \$ _____, plus \$ _____ as the 5% surcharge required by F.S. 960.25
- ☒ The Defendant is hereby committed to the custody of the Department of Corrections
- ☐ The Defendant is hereby committed to the custody of the Sheriff of _____ County, Florida
 (Name of local corrections authority to be inserted at printing, if other than Sheriff)

To be imprisoned (check one; unmarked sections are inapplicable)

- ☐ For a term of Natural Life
- ☒ For a term of FIVE (5) YEARS WITH CREDIT TIME
- ☐ For an indeterminate period of 6 months to _____ years.

If "split" sentence
 complete either of
 these two paragraphs

- ☐ Followed by a period of _____ on probation under the supervision of the Department
 of Corrections according to the terms and conditions of probation set forth in a separate
 order entered herein.
- ☐ However, after serving a period of _____ imprisonment in _____
 the balance of such sentence shall be suspended and the Defendant shall be placed on
 probation for a period of _____ under supervision of the Department of Corrections
 according to the terms and conditions of probation set forth in a separate order entered herein.

SPECIAL PROVISIONS

By appropriate notation, the following provisions apply to the sentence imposed in this section:

Firearm — 3 year
 mandatory minimum

- ☐ It is further ordered that the 3 year minimum provisions of F.S. 775.087(2) are hereby imposed
 for the sentence specified in this count, as the Defendant possessed a firearm.

Drug Trafficking —
 mandatory minimum

- ☐ It is further ordered that the _____ year minimum provisions of F.S. 893.135(1)(b) are hereby imposed for the sentence specified in this count.

Retention of
 Jurisdiction

- ☐ The Court pursuant to F.S. 947.16(3) retains jurisdiction over the defendant for review of any
 Parole Commission release order for the period of _____. The requisite findings by
 the Court are set forth in a separate order or stated on the record in open court.

Habitual Offender

- ☐ The Defendant is adjudged a habitual offender and has been sentenced to an extended term in
 this sentence in accordance with the provisions of F.S. 775.084(4)(a). The requisite findings by
 the court are set forth in a separate order or stated on the record in open court.

Jail Credit

- ☒ It is further ordered that the Defendant shall be allowed a total of 151 DAYS
 credit for such time as he has been incarcerated prior to imposition of this sentence. Such credit
 reflects the following periods of incarceration (optional):

Consecutive Concurrent

- It is further ordered that the sentence imposed for this count shall be ☐ consecutive
 to ☒ concurrent with (check only the sentence set forth in count TWO above

CIRCUIT COURT



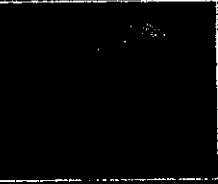
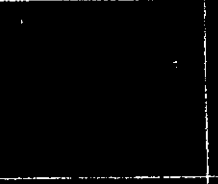
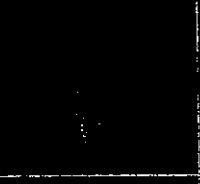
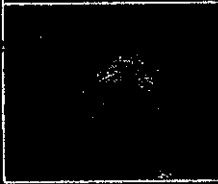

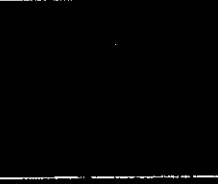


1a

(Applicable if checked)

- ☐ The Court hereby stays and withholds the imposition of sentence as to count(s) _____
- ☐ The Court hereby defers imposition of sentence until _____
- ☐ The Court places the Defendant on Probation for a period of _____ under the supervision of the Department of Corrections (conditions of probation set forth in separate order).
- ☐ The Court places the Defendant in Community Control for a period of _____ under the supervision of the Department of Corrections (conditions of community control set forth in separate order).

The Defendant in Open Court was advised of his right to appeal from this judgment by filing notice of appeal with the Clerk of Court within thirty days following the date sentence is imposed or probation/community control is ordered pursuant to this adjudication. The Defendant was also advised of his right to the assistance of counsel in taking said appeal at the expense of the State upon showing of indigency.

FINGERPRINTS OF DEFENDANT

1. R. Thumb	2. R. Index	3. R. Middle	4. R. Ring	5. R. Little
				
6. L. Thumb	7. L. Index	8. L. Middle	9. L. Ring	10. L. Little
				

Fingerprints taken by:

Thomas W. Winkler - 1536 D.S.
Name and Title

DONE AND ORDERED in Open Court at Hillsborough County, Florida, this 21st day of OCTOBER, A.D., 19 86. I HEREBY certify that the above and foregoing fingerprints and the fingerprints of the Defendant LOUIS F. BOTTORFF and that they were placed thereon by said Defendant in my presence in Open Court, this date.


JUDGE

SENTENCE

(As to Count ONE)

The Defendant, being personally before this Court, accompanied by his attorney MICHAEL WILLIAMS, ESQ., and having been adjudicated guilty herein, and the Court having given the Defendant an opportunity to be heard and to offer matters in mitigation of sentence, and to show cause why it should not be sentenced as provided by law, and no cause being shown.

☐ and the Court having on _____ referred imposition of sentence until this date. (date)

(Check either provision if applicable)

☐ and the Court having placed the Defendant on probation and having subsequently revoked the Defendant's probation by separate order entered herein.

☐ and the Court having placed the Defendant in community control and having subsequently revoked the Defendant's community control by separate order entered herein.

IT IS THE SENTENCE OF THE LAW THAT:

☐ The Defendant pay a fine of _____ plus \$_____ as the 5% surcharge required by F.S. 900.25

☒ The Defendant is hereby committed to the custody of the Department of Corrections

☐ The Defendant is hereby committed to the custody of the Sheriff of Hillsborough County, Florida

(Name of local corrections authority to be inserted at printing, if other than Sheriff)

To be imprisoned (check one, unmarked sections are inapplicable)

☐ For a term of Natural Life

☒ For a term of FIVE (5) YEARS WITH CREDIT TIME

☐ For an indeterminate period of 6 months to _____ years

☐ Followed by a period of _____ on probation under the supervision of the Department of Corrections according to the terms and conditions of probation set forth in a separate order entered herein.

If "split" sentence, complete either of these two paragraphs

☐ However, after serving a period of _____ imprisonment in _____ the balance of such sentence shall be suspended and the Defendant shall be placed on probation for a period of _____ under supervision of the Department of Corrections according to the terms and conditions of probation set forth in a separate order entered herein.

SPECIAL PROVISION:

By appropriate notation, the following provisions apply to the sentence imposed in this action:

Firearm - 3 year mandatory minimum ☐ It is further ordered that the 3 year minimum provisions of F.S. 775.087(2) are hereby imposed for the sentence specified in this count, as the Defendant possessed a firearm.

Drug Trafficking - mandatory minimum ☐ It is further ordered that the _____ year minimum provisions of F.S. 893.135(1)(f) are hereby imposed for the sentence specified in this count.

Retention of Jurisdiction ☐ The Court pursuant to F.S. 947.16(3) retains jurisdiction over the defendant for review of any Parole Commission release order for the period of _____. The requisite findings by the Court are set forth in a separate order or stated on the record in open court.

Habitual Offender ☐ The Defendant is adjudged a habitual offender and has been sentenced to an extended term in this sentence in accordance with the provisions of F.S. 775.084(4)(a). The requisite findings by the court are set forth in a separate order or stated on the record in open court.

Jail Credit ☒ It is further ordered that the Defendant shall be allowed a total of 217 DAYS credit for such time as he has been incarcerated prior to imposition of this sentence. Such credit reflects the following periods of incarceration (optional):

Consecutive/Concurrent It is further ordered that the sentence imposed for this count shall run ☐ consecutive to ☒ concurrent with (check one) the sentence set forth in count 1 & 0 above.

CIRCUIT COURT

3

Defendant JOSE E. BELLORECase Number 86-1011-1

Consecutive/
Concurrent
(As to other
convictions)

It is further ordered that the composite term of all sentences imposed for the counts specified in this order shall run ☐ consecutive to ☒ concurrent with (check one) the following:

☐ Any active sentence being served

☒ Specific sentence 86-5218

In the event the above sentence is to the Department of Corrections, the Sheriff of Hillsborough County, Florida is hereby ordered and directed to deliver the Defendant to the Department of Corrections together with a copy of this Judgment and Sentence.

The Defendant in Open Court was advised of his right to appeal from this Sentence by filing notice of appeal within thirty days from this date with the Clerk of this Court, and the Defendant's right to the assistance of counsel in taking said appeal at the expense of the State upon showing of indigency.

In imposing the above sentence, the Court further recommends SENTENCING GUIDELINES FILED IN 86-5218.

COURT HAS NO OBJECTION FOR DEFENDANT TO BE TURNED OVER TO FEDERAL MARSHALL TO

BEGIN FEDERAL SENTENCE.

DONE AND ORDERED in Open Court at Hillsborough County, Florida, this 21st day of
OCTOBER A.D. 19 86

M. Thurner
JUDGE

CIRCUIT COURT

Defendant LOUIS E. BUTLERCase Number 96-0012-E

SENTENCE

(As to Count TFD)

The Defendant, being personally before this Court, accompanied by his attorney, MICHAEL WILLIAM LEFRON,
ESQUIRE and having been adjudicated guilty herein, and the Court having given the Defendant an opportunity
 to be heard and to offer matters in mitigation of sentence, and to show cause why he should not be sentenced as provided by law,
 and no cause being shown:

☐ and the Court having on _____ (date) deferred imposition of sentence
 until this date.

(Check either provision
 if applicable)

☐ and the Court having placed the Defendant on probation and having subsequently revoked the
 Defendant's probation by separate order entered herein.

IT IS THE SENTENCE OF THE LAW that:

☐ The Defendant pay a fine of \$ _____ plus \$ _____ as the 5% surcharge required by F.S. 860.25

☒ The Defendant is hereby committed to the custody of the Department of Corrections

☐ The Defendant is hereby committed to the custody of the Sheriff of _____ County, Florida
 (Name of local corrections authority to be inserted at printing, if other than Sheriff)

To be imprisoned (check one, unmarked sections are inapplicable)

☐ For a term of Natural Life

☒ For a term of FIVE (5) YEARS WITH CREDIT TIME

☐ For an indeterminate period of 6 months to _____ years

If "split" sentence
 complete either of
 these two paragraphs

☐ Followed by a period of _____ on probation under the supervision of the Depart-
 ment of Corrections according to the terms and conditions of probation set forth in a separate
 order entered herein

☐ However, after serving a period of _____ imprisonment in _____
 the balance of such sentence shall be suspended and the Defendant shall be placed on
 probation for a period of _____ under supervision of the Department of Corrections
 according to the terms and conditions of probation set forth in a separate order entered herein

SPECIAL PROVISIONS

By appropriate notation, the following provisions apply to the sentence imposed in this section

Firearm — 3 year
 mandatory minimum

☐ It is further ordered that the 3 year minimum provisions of F.S. 775.087(2) are hereby imposed
 for the sentence specified in this count, as the Defendant possessed a firearm

Drug Trafficking —
 mandatory minimum

☐ It is further ordered that the _____ year minimum provisions of F.S. 893.135(1)(c) are hereby imposed for the sentence specified in this count

Retention of
 Jurisdiction

☐ The Court pursuant to F.S. 947.16(3) retains jurisdiction over the defendant for review of any
 Parole Commission release order for the period of _____. The requisite findings by
 the Court are set forth in a separate order or stated on the record in open court

Habitual Offender

☐ The Defendant is adjudged a habitual offender and has been sentenced to an extended term in
 this sentence in accordance with the provisions of F.S. 775.084(4)(a). The requisite findings by
 the court are set forth in a separate order or stated on the record in open court

Jail Credit

☒ It is further ordered that the Defendant shall be allowed a total of 217 DAYS
 credit for such time as he has been incarcerated prior to imposition of this sentence. Such credit
 reflects the following periods of incarceration (optional):

Consecutive/Concurrent

It is further ordered that the sentence imposed for this count shall run ☐ consecutive
 to ☒ concurrent with (check one) the sentence set forth in count ONE above

(Applicable if checked)

- ☐ The Court hereby stays and withholds the imposition of sentence as to counts: _____
- ☐ The Court hereby defers imposition of sentence until _____
- ☐ The Court places the Defendant on Probation for a period of _____ under the supervision of the Department of Corrections (conditions of probation set forth in separate order)
- ☐ The Court places the Defendant in Community Control for a period _____ under the supervision of the Department of Corrections (conditions of community control set forth in separate order)

The Defendant in Open Court was advised of his right to appeal from this judgment by filing notice of appeal with the Clerk of Court within thirty days following the date sentence is imposed or probation/community control is ordered pursuant to this adjudication. The Defendant was also advised of his right to the assistance of counsel in taking said appeal at the expense of the State upon showing of indigence.

FINGERPRINTS OF DEFENDANT

1. R. Thumb	2. R. Index	3. R. Middle	4. R. Ring	5. R. Little
6. L. Thumb	7. L. Index	8. L. Middle	9. L. Ring	10. L. Little

Fingerprints taken by:

Deborah J. [Signature] 10/21/86

Name and Title

DONE AND ORDERED in Open Court at Hillsborough County, Florida, this 21st day of OCTOBER A.D. 1986. I HEREBY certify that the above and foregoing fingerprints are the fingerprints of the Defendant LOUIS FRANCIS BOTTORFF and that they were placed on by said Defendant in my presence in Open Court this date.

[Signature]
JUDGE

CIRCUIT COURT

2

Defendant LOUIS FRANCIS BOUTONNETCase Number 86-2708-E

SENTENCE

(As to Count ONE)

The Defendant, being personally before this Court, accompanied by his attorney, MICHAEL WILLIAM LEBRON, ESQUIRE, and having been adjudicated guilty herein, the Court having given the Defendant an opportunity to be heard and to offer matters in mitigation of sentence, and the Court having heard the Defendant's plea by law, and no cause being shown,

☐ and the Court having entered a sentence of _____ until this date. (date)

(Check either provision if applicable)

☐ and the Court having placed the Defendant on probation and having subsequently revoked the Defendant's probation by separate order entered herein.

☐ and the Court having placed the Defendant in community control and having subsequently revoked the Defendant's community control by separate order entered herein.

IT IS THE SENTENCE OF THE LAW that:

☐ The Defendant pay a fine of \$ _____, plus \$ _____ as the 5% surcharge required by F.S. 960.25

☒ The Defendant is hereby committed to the custody of the Department of Corrections

☐ The Defendant is hereby committed to the custody of the Sheriff of Hillsborough County, Florida

(Name of local corrections authority to be inserted at printing, if other than Sheriff)

To be imprisoned (check one; unmarked sections are inapplicable)

☐ For a term of Natural Life

☒ For a term of SEVEN (7) YEARS WITH CREDIT TIME

☐ For an indeterminate period of 6 months to _____ years

☐ Followed by a period of _____ on probation under the supervision of the Department of Corrections according to the terms and conditions of probation set forth in a separate order entered herein.

If "split" sentence complete either of these two paragraphs

☐ However, after serving a period of _____ imprisonment in _____ the balance of such sentence shall be suspended and the Defendant shall be placed on probation for a period of _____ under supervision of the Department of Corrections according to the terms and conditions of probation set forth in a separate order entered herein.

SPECIAL PROVISIONS

By appropriate notation, the following provisions apply to the sentence imposed in this action.

Firearm - 3 year ☒ It is further ordered that the 3 year minimum provisions of F.S. 775.087(2) are hereby imposed for the sentence specified in this count, as the Defendant possessed a firearm.

Drug Trafficking - ☐ It is further ordered that the _____ year minimum provisions of F.S. 893.135(1)(a) are hereby imposed for the sentence specified in this count.

Retention of Jurisdiction ☐ The Court pursuant to F.S. 947.16(3) retains jurisdiction over the defendant for review of any Parole Commission release order for the period of _____. The requisite findings by the Court are set forth in a separate order or stated on the record in open court.

Habitual Offender ☐ The Defendant is adjudged a habitual offender and has been sentenced to an extended term in this sentence in accordance with the provisions of F.S. 775.084(4)(a). The requisite findings by the Court are set forth in a separate order or stated on the record in open court.

Jail Credit ☒ It is further ordered that the Defendant shall be allowed a total of 193 DAYS credit for such time as he has been incarcerated prior to imposition of this sentence. Such credit reflects the following periods of incarceration (optional):

Consecutive/ Concurrent ☐ It is further ordered that the sentence imposed for this count shall run _____ consecutive to _____ current with _____ (check one) the sentence set forth in count _____ above.

3

Defendant LOUIS FRANCIS BOJOWITZCase Number 80-5268-E

Consecutive/
Concurrent
(As to other
convictions)

It is further ordered that the composite term of all sentences imposed for the counts specified in this order shall run ☒ consecutive to ☐ concurrent with (check one) the following:

☐ Any active sentence being served.

☒ Specific sentences: CONSECUTIVE TO FEDERAL SENTENCE

In the event the above sentence is to the Department of Corrections, the Sheriff of Hillsborough County, Florida is hereby ordered and directed to deliver the Defendant to the Department of Corrections together with a copy of this Judgment and Sentence.

The Defendant in Open Court was advised of his right to appeal from this Sentence by filing notice of appeal within thirty days from this date with the Clerk of this Court, and the Defendant's right to the assistance of counsel in taking said appeal at the expense of the State upon showing of indigency.

In imposing the above sentence, the Court further recommends SENTENCING GUIDELINES FILED.

COURT HAS NO OBJECTION FOR DEFENDANT TO BE TURNED OVER TO FEDERAL MARSHALL

TO BEGIN FEDERAL SENTENCE.

DONE AND ORDERED in Open Court at Hillsborough County, Florida, this 21st day of
OCTOBER A.D., 19 86


JUDGE

Defendant LOUIS FRANKIS BOGOROFFDate of Birth 8-12-1928**SENTENCE**(As to and TWO)

The Defendant, being personally before this Court, accompanied by his attorney MICHAEL WILLIAM GERNON, ESQUIRE, and having been adjudicated guilty herein, and the Court having given the Defendant an opportunity to be heard and to offer matters in mitigation of sentence, and to show cause why he should not be sentenced as provided by law, and no cause being shown:

☐ and the Court having on _____ deferred imposition of sentence until this date.

(Check either provision if applicable)

☐ and the Court having placed the Defendant on probation, and having subsequently revoked the Defendant's probation by separate order entered herein.

IT IS THE SENTENCE OF THE LAW that:

☐ The Defendant pay a fine of \$ _____ plus \$ _____ as the 5% surcharge required by F.S. 960.25.

☒ The Defendant is hereby committed to the custody of the Department of Corrections.

☐ The Defendant is hereby committed to the custody of the Sheriff of _____ County, Florida.
(Name of local corrections authority to be inserted at printing, if other than Sheriff)

To be imprisoned (check one; unmarked sections are inapplicable)

☐ For a term of Natural Life.

☒ For a term of SEVEN (7) YEARS WITH CREDIT TIME

☐ For an indeterminate period of 6 months to _____ years.

☐ Followed by a period of _____ on probation under the supervision of the Department of Corrections according to the terms and conditions of probation set forth in a separate order entered herein.

If "split" sentence
complete either of
these two paragraphs

☐ However, after serving a period of _____ imprisonment in _____ the balance of such sentence shall be suspended and the Defendant shall be placed on probation for a period of _____ under supervision of the Department of Corrections according to the terms and conditions of probation set forth in a separate order entered herein.

SPECIAL PROVISIONS

By appropriate notation, the following provisions apply to the sentence imposed in this section:

Firearm — 3 year
mandatory minimum

☐ It is further ordered that the 3 year minimum provisions of F.S. 775.087(2) are hereby imposed for the sentence specified in this count, as the Defendant possessed a firearm.

Drug Trafficking —
mandatory minimum

☐ It is further ordered that the _____ year minimum provisions of F.S. 893.135(1)(b) are hereby imposed for the sentence specified in this count.

Retention of
Jurisdiction

☐ The Court pursuant to F.S. 947.16(3) retains jurisdiction over the defendant for review of any Parole Commission release order for the period of _____. The requisite findings by the Court are set forth in a separate order or stated on the record in open court.

Habitual Offender

☐ The Defendant is adjudged a habitual offender and has been sentenced to an extended term in this sentence in accordance with the provisions of F.S. 775.094(4)(a). The requisite findings by the court are set forth in a separate order or stated on the record in open court.

Joint Credit

☒ It is further ordered that the Defendant shall be allowed a total of 193 D. Ys credit for such time as he has been incarcerated prior to imposition of this sentence. Such credit reflects the following periods of incarceration (optional):

Consecutive/Concurrent

It is further ordered that the sentence imposed for this count shall run ☐ consecutive to ☒ and run with (check one) the sentence set forth in counts ONE & TWO above.

Defendant LOUIS FRANCIS BOITLOFFCase Number 80-5268-B**SENTENCE**(As to Count THREE)The Defendant, being personally before this Court, accompanied by his attorney, MICHAEL WILLIAM LEFFINK,

ESQUIRE and having been adjudicated guilty herein, and the Court having given the Defendant an opportunity to be heard and to offer matters in mitigation of sentence, and to show cause why he should not be sentenced as provided by law, and no cause being shown,

- (Check either provision if applicable):
- ☐ and the Court having on _____ (date) deferred imposition of sentence until this date.
- ☐ and the Court having placed the Defendant on probation and having subsequently revoked the Defendant's probation by separate order entered herein.

IT IS THE SENTENCE OF THE LAW that:

- ☐ The Defendant pay a fine of \$ _____, plus \$ _____ as the 5% surcharge required by F.S. 960.23.
- ☒ The Defendant is hereby committed to the custody of the Department of Corrections.
- ☐ The Defendant is hereby committed to the custody of the Sheriff of _____ County, Florida.
(Name of local corrections authority to be inserted at printing, if other than Sheriff)

To be imprisoned (check one; unmarked sections are inapplicable):

- ☐ For a term of Natural Life.
- ☒ For a term of SEVEN (7) YEARS WITH CREDIT TIME.
- ☐ For an indeterminate period of 6 months to _____ years.
- ☐ Followed by a period of _____ on probation under the supervision of the Department of Corrections according to the terms and conditions of probation set forth in a separate order entered herein.
- ☐ However, after serving a period of _____ imprisonment in _____ the balance of such sentence shall be suspended and the Defendant shall be placed on probation for a period of _____ under supervision of the Department of Corrections according to the terms and conditions of probation set forth in a separate order entered herein.

If "split" sentence
complete either of
these two paragraphs

SPECIAL PROVISIONS

By appropriate notation, the following provisions apply to the sentence imposed in this section:

- Firearm — 3 year mandatory minimum** ☐ It is further ordered that the 3 year minimum provisions of F.S. 775.087(2) are hereby imposed for the sentence specified in this count, as the Defendant possessed a firearm.
- Drug Trafficking — mandatory minimum** ☐ It is further ordered that the _____ year minimum provisions of F.S. 893.135(1)(b) are hereby imposed for the sentence specified in this count.
- Retention of Jurisdiction** ☐ The Court pursuant to F.S. 947.15(3) retains jurisdiction over the defendant for review of any Parole Commission release order for the period of _____. The requisite findings by the Court are set forth in a separate order or stated on the record in open court.
- Habitual Offender** ☐ The Defendant is adjudged a habitual offender and has been sentenced to an extended term in this sentence in accordance with the provisions of F.S. 775.084(4)(a). The requisite findings by the court are set forth in a separate order or stated on the record in open court.
- Jail Credit** ☒ It is further ordered that the Defendant shall be allowed a total of 153 DAYS credit for such time as he has been incarcerated prior to imposition of this sentence. Such credit reflects the following periods of incarceration (optional):

Consecutive/Concurrent

It is further ordered that the sentence imposed for this count shall run ☐ consecutive to ☒ concurrent with (check one) the sentence set forth in count # ONE & TWO above.

IN THE CIRCUIT COURT OF THE THIRTEENTH JUDICIAL CIRCUIT OF THE
STATE OF FLORIDA, IN AND FOR HILLSBOROUGH COUNTY
CRIMINAL JUSTICE DIVISION

STATE OF FLORIDA

CASE NOS.: 85-13671; 86-4012;

V.

86-5268

LOUIS F. BOTTORFF

DIVISION: E

APPEAL OF ORDER DENYING MOTION TO PRODUCE RECORDS AND APPEAL OF
ORDER DENYING MOTION FOR LEAVE TO FILE FOR POSTCONVICTION RELIEF

NOW COMES the defendant, Louis F. Bottorff, appealing the Court's ORDER of April 27, 2001; denying defendant's above-styled motions, and moves the Court to reconsider that decision, thereby GRANTING the motions in part.

DEFENDANT STATES that he was told by counsel that the plea agreement he agreed to stipulated that the sentences imposed by the Court would run concurrent with each other and concurrent with the federal sentence he is now serving. Defendant has no records from his attorney of record or the Court with which to substantiate this claim and again requests same.

FURTHERMORE, the County of Pasco, Florida has filed detainers with the federal government for his imprisonment which was imposed by sentence after these Hillsborough County sentences which this Court may not be aware of. Defendant asks the Court to reconsider in light of this. And, the defendant has served fifteen years on a federal sentence of a presumptive twenty-five years for the same event prosecuted both by Pasco County and the federal government.

PRAYER FOR RELIEF

Defendant seeks modification of the conditions attached to these sentences, which would correct these sentences' specifications, or amend same to reflect that they should have been run concurrent with the federal sentence, and therefor ORDERED DISMISSED, or in the alternative, ORDERED served concurrent with any Pasco County sentences, if executed.

Respectfully submitted,

Louis F. Bottorff

Louis F. Bottorff

Federal Prisoner No. 06324-018

United States Penitentiary

P.O. Box 1000

Lewisburg, PA 17837

ATTACHMENTS:

Original Plea Agreement - copy

VERIFICATION

I, LOUIS BOTTORFF, AFFIRM that the foregoing is true, certain, not misleading and correct, to the best of my knowledge.

This the 16 day of May, 2001.

L. F. B.

Louis F. Bottorff

CERTIFICATE OF SERVICE

I, LOUIS BOTTORFF, CERTIFY that the undersigned has this date served the foregoing documents to the Clerk of Court at the correct address with postage prepaid by depositing same in the Lewisburg Penitentiary legal mailbox.

This the 16 day of May, 2001.

L. F. B.

Louis F. Bottorff

cc: Clerk of Court for the Thirteenth Judicial Circuit
Hillsborough County
Tampa, Florida

IN THE CIRCUIT COURT OF THE THIRTEENTH JUDICIAL CIRCUIT
OF THE STATE OF FLORIDA, IN AND FOR HILLSBOROUGH COUNTY
CRIMINAL JUSTICE DIVISION

STATE OF FLORIDA

CASE NO.:

VS.

DIVISION:

86-5268

86-4012

85-13671

E

Louis E. Bortorff

PLEA OFFER

COMES NOW, the State of Florida by and through the undersigned Assistant State Attorney and makes the following offer with respect to the abovementioned case(s).

In exchange for a plea of Guilty/Nolo Contendere to the charge(s) of Armed Burglary, Armed Robbery (2 counts)
Burglary of Dwelling (2 counts) = Grand Theft (2 counts)
State will not oppose motion to dismiss Count I of 85-13671
the negotiation would be, subject to the Court's acceptance, defendant to be adjudicated: _____

ALL
come
w/ each
other

86-5268 - 7 years FSP each count concurrent with 3 year
mandatory minimum as to count 1

86-4012 - 5 years FSP each count concurrent

85-13671 - 5 years FSP each count concurrent (Count I to

Any special conditions that the Court deems appropriate.

be noile
prossed

Restitution \$ _____

Court Cost \$ 600.00 as community service work

Cost of Prosecution \$ _____

Court Improvement Fund \$ _____

FILED

OCT 21 1986

The sentencing guidelines have been provided to defense counsel. The recommendation is is not with the guidelines.

Reason for departure from the guidelines _____

The defendant will have until Pre-Trial Conference to accept this offer.

JAMES

S. ATTORNEY

Assistant

BY

Date: 4-28-86

IN THE CIRCUIT COURT OF THE THIRTEENTH JUDICIAL CIRCUIT OF THE
STATE OF FLORIDA, IN AND FOR HILLSBOROUGH COUNTY
CRIMINAL JUSTICE DIVISION

STATE OF FLORIDA

CASE NOS.: 85-13671; 86-4012;

vs.

86-5268

LOUIS F. BOTTORFF

DIVISION: E

MOTION TO SECURE COURT-APPOINTED ATTORNEY

NOW COMES the defendant, Louis F. Bottorff, and moves this Court for an **ORDER** which **GRANTS** The movant counsel for extradition proceedings and other adverse proceedings arising from the original criminal procedure charging the movant in the above-styled causes, pursuant to Florida Rules of Criminal Procedure Rule 3.111. **Providing Counsel to Indigents - (b)(2)**

A **detainer has been lodged** with the Federal Government by the County of Hillsborough, Florida seeking to extradite the movant for the purpose of executing a fifteen year old sentence imposed in 1986.

DEFENDANT STATES;

- 1) That he is indigent and attaches a Certificate of Indigency herewith.
- 2) That he wishes to test the legality of the detainer, citing grounds which he will disclose to said attorney.
- 3) That he does not have the expertise or knowledge of procedure which would assure a balance in the adversial system.
- 4) That he does not wish to proceed in a pro se capacity when counsel could be appointed for these matters, per Florida procedural rules.

FOR CAUSE SHOWN the defendant respectfully prays this Court **GRANT** the **ORDER** thereby appointing counsel to defendant for these matters.

DONE AND DATED THIS THE 16 DAY OF May, 2001.

Respectfully submitted,

Louis F. Bottorff
Reg. # 06324-018
United States Penitentiary
P.O. Box 1000
Lewisburg, PA 17837

ATTACHMENTS:

Certificate of Indigency

VERIFICATION

I, Louis F. Bottorff, AFFIRM that the foregoing is true, certain, not misleading and correct to the best of my knowledge.

This the 16 day of May, 2001.

Louis F. Bottorff

CERTIFICATE OF SERVICE

I, Louis F. Bottorff, CERTIFY that the undersigned has this day served the foregoing documents to the Clerk of Court at the correct address with postage prepaid, by depositing same in the Lewisburg Penitentiary legal mailbox.

This the 16 day of May, 2001.

Louis F. Bottorff

Dear Clerk:

Please present the foregoing to the proper parties, if it is in order, advising me, if not. Thank you.

Louis F. Bottorff

cc: Clerk of Court for the Thirteenth Judicial Circuit
Hillsborough County
Tampa, Florida

LEWNA * INMATE EDUCATION DATA * 04-23-2001
 PAGE 001 OF 001 * TRANSCRIPT * 08:42:52

REGISTER NO: 06324-018 NAME.: BOTTORFF FUNC: PRT
 FORMAT.....: TRANSCRIPT RSP OF: LEW-LEWISBURG USP

----- EDUCATION INFORMATION -----
 FACL ASSIGNMENT DESCRIPTION START DATE/TIME STOP DATE/TIME
 LEW ESL HAS ENGLISH PROFICIENT 07-24-1991 1323 CURRENT
 LEW GED HAS COMPLETED GED OR HS DIPLOMA 06-01-1991 0712 CURRENT

----- EDUCATION COURSES -----
 SUB-FACL DESCRIPTION START DATE STOP DATE EVNT AC LV HRS
 LEW LEISURE ACT/LEATHER CRAFT 2001 01-02-2001 CURRENT
 LEW JOB FAIR/RELEASE PREP CLASS'01 04-18-2001 04-18-2001 P C P 3
 LEW BIKE ACROSS AMERICA 2001 11-16-2000 03-10-2001 P C P 14
 LEW MANAGEMENT 101/NEWPORT COLLEGE 09-25-2000 12-19-2000 P C P 40
 LEW LEISURE ACT/LEATHER CRAFT 2000 01-03-2000 01-02-2001 P C P 120
 LEW LEISURE ACT/SOFTBALL 2000 05-08-2000 09-09-2000 P C P 48
 LEW MARKETING 104/NEWPORT COLLEGE 09-14-1999 12-23-1999 P C P 40
 LEW LEISURE ACTIVITY/LEATHER CRAFT 02-01-1999 01-03-2000 P C P 165
 LEW LEISURE ACTIVITY/MUSIC LISTEN 03-13-1998 10-01-1999 P C P 130
 LEW LEISURE ACTIVITY/SOFTBALL 05-24-1999 09-10-1999 P C P 58
 LEW BUSINESMATH101/NEWPORT COLLEGE 06-08-1999 09-01-1999 P C P 40
 LEW BUSINESSCOM101/NEWPORT COLLEGE 01-19-1999 05-07-1999 P C P 40
 LEW BIKE ACROSS AMERICA 01-11-1999 04-04-1999 P C P 20
 LEW SOFTBALL OFFICIAL CLASS 04-27-1999 05-27-1999 P C P 32
 LEW LISTENING SKILLS ACE 04-15-1998 07-01-1998 P C P 18
 ATL INTRODUCTION TO TYPING V/T 03-31-1997 10-15-1997 P W I 112
 ATL ADULT/CHILDHOOD DEV T-W 12-3PM 03-05-1997 05-01-1997 P C P 48
 THA MUSIC (ACE) 02-15-1994 05-19-1994 P C P 30
 THA BEGINNING JOGGING 12-10-1993 01-10-1994 P C P 40
 THA CONVERSATIONAL SPANISH WEDS 01-13-1992 03-06-1992 P C P 30
 THA INTRODUCTION TO SOCIAL PSYCHS. 01-13-1992 03-06-1992 P C P 30
 THA INTRODUCTION TO BUSINESS 01-13-1992 03-06-1992 P C P 30
 MEM GEN EDUC DEV PM BUTLER 03-09-1989 03-09-1989 P C P 4
 MEM ADULT BASIC ED-1230-1545 DOYLE 11-21-1986 01-29-1987 P C P 120

----- HIGH TEST SCORES -----
 TEST SUBTEST SCORE TEST DATE TEST FACL FORM STATE
 GED AVERAGE 46.0 03-02-1989 MEM PASS TN
 LIT/ARTS 48.0 03-02-1989 MEM AB TN
 MATH 44.0 03-02-1989 MEM AB TN
 SCIENCE 48.0 03-02-1989 MEM AB TN
 SOC STUDY 48.0 03-02-1989 MEM AB TN
 WRITING 42.0 03-02-1989 MEM AB TN

G0000 TRANSACTION SUCCESSFULLY COMPLETED

PARENTAL EDUCATION PROGRAM



This Certifies That LOUIS BOTTORFF

Has Satisfactorily Completed The Course In Parental Education.

Awarded on This 30th Day of APRIL, 1997



James E. Hall
Supervisor of Education

[Signature]
Program Coordinator

[Signature]
Course Instructor

U I O - U E S

Certificate of Achievement

awarded to

Louis Bottonoff

for completion of 500 hours

Residential Drug Abuse Treatment Program

Date *December 6, 1993*

M. A. Broshars

Drug Abuse Treatment Specialist
United States Penitentiary, Terre Haute, Indiana

M. A. Broshars

C. A. Broshars, Ph.D.
Drug Abuse Psychologist

Recommend continued participation in Transitional Aftercare services and 12-Step meetings both during the remainder of incarceration and following release into the community.

CERTIFICATE OF COMPLETION

This Is To Certify That:

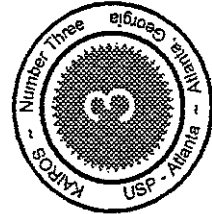
Louis Bottorff

HAS COMPLETED THE KAIROS COURSE AND IS QUALIFIED
HEREWITH AS A MEMBER OF THE CONTINUING KAIROS
PROGRAM

Awarded this 17th day of September Nineteen Hundred and 95. In Witness Hereof:

Richard P. Tolcher

Richard P. Tolcher ~ Chaplain



Ken Summerour

Ken Summerour ~ Rector

State of Tennessee Department of Education

This is to Certify that

LOUIS BOTTORFF

has satisfied the requirements of the General Educational Development Program
approved by the State Board of Education, and is, therefore, entitled to this

Equivalency Diploma

In Testimony Whereof and by authority in us vested, we have affixed our signatures

this the 29TH day of MARCH 19 89, at Nashville, Tennessee.



Charles E. Smith
State Commissioner of Education

Steven T. Runey
DIRECTOR, PUBLIC/PRIVATE SCHOOL ADMINISTRATION

Newport Business Institute



Williamsport, Pennsylvania
Continuing Education Center

Federal Register # 06324-018

First Name: L

25-Jan-01

Last Name: Boltorff

Learning Site: USP-Lewisburg

Michael J. Chom

Authorized Signature

Total Credits	12	Total Points	45
		QPA	3.75

Newport Business Institute

Williamsport, Pennsylvania
Continuing Education Center

Federal Register # 06324-018	First Name: L	25-Jan-01
	Last Name: Boltorff	Learning Site: USP-Lewisburg

Term	Class	Letter Grade:	Credits	Credits Earned	Points
Fall 1999	Marketing 104	A	3	3	12
				3	0
				3	0
					0

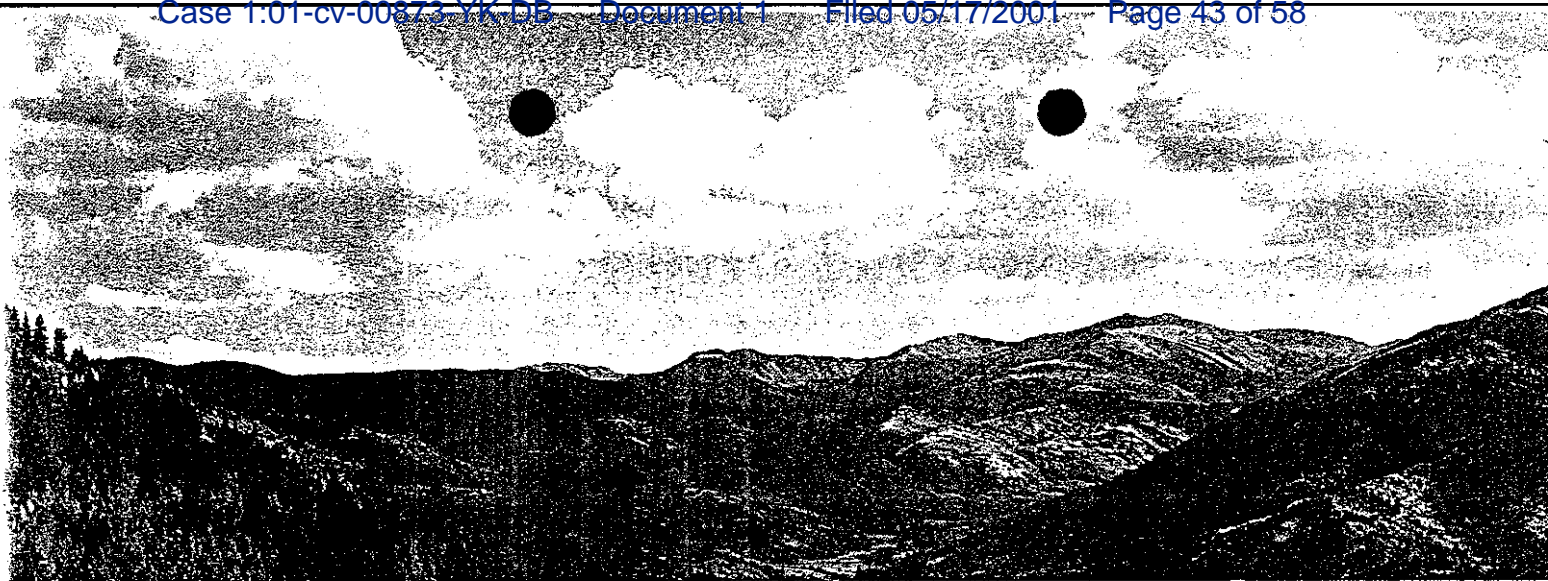
Term Credits 3	Term Points 12
Term GPA	4.00

Fall 2000	Management 101	A	3	3	12
				3	0
				3	0
					0

Term Credits 3	Term Points 12
Term GPA	4.00

Summer 1999	Business Communications 101	B	3	3	9
	Business Mathematics 101	A	3	3	12
				3	0
					0

Term Credits 6	Term Points 21
Term GPA	3.50



PRISON
FELLOWSHIP®
Ministries

In recognition of participation in the seminar,

"SURVIVING & THRIVING IN PRISON - I "

LOUIS BOTTORFF

a child of God, is hereby awarded this

Certificate of Participation

*"Be strong in the Lord and in his great power. Wear the full armor of God.
Wear God's armor so that you can fight against the devil's evil tricks."*

Ephesians 6:10-11 New Century Version

Charles W. Colson

Charles W. Colson

Robert B. Hillbrand

Instructor

J. M. Johnson

Chaplain

3/25/2000

Date

Division of Vocational and Adult Education

Memphis, Tennessee

Memphis City Schools Certificate

This Certificate is Presented to

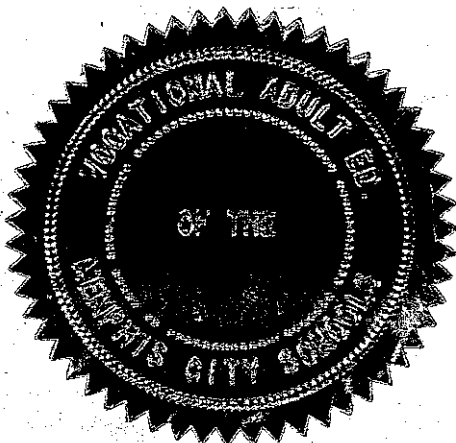
LOUIS BOTTORFF

in recognition of satisfactory completion of

40 COURSE IN HIGH RELIABILITY SOLDERING TO MIL-STD-45743E

a concentrated program of study under the direction of the Division
of Vocational and Adult Education, Memphis City Schools

Awarded this Date OCTOBER 18, 1988



G. A. Davis

Instructor

C. Miller

Supervisor

Robert C. Zachary

Director of Vocational and Adult Education

W. W. Herenton

Superintendent of Memphis City Schools

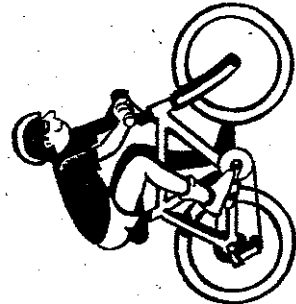
BIKE ACROSS AMERICA

THIS CERTIFICATE IS AWARDED TO

L. BOTTORFF

FOR COMPLETING REQUIREMENTS OF THE
BIKE ACROSS AMERICA PROGRAM.

257 MILES



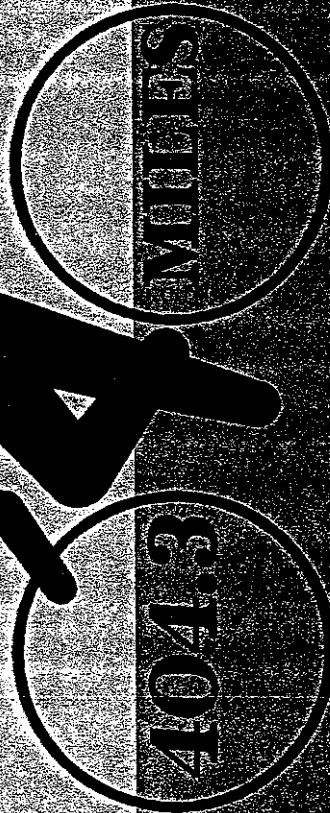
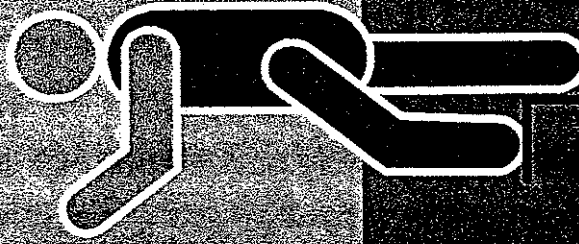
Tim Clapper

TIM CLAPPER, REC. SPECIALIST
PROGRAM SUPERVISOR



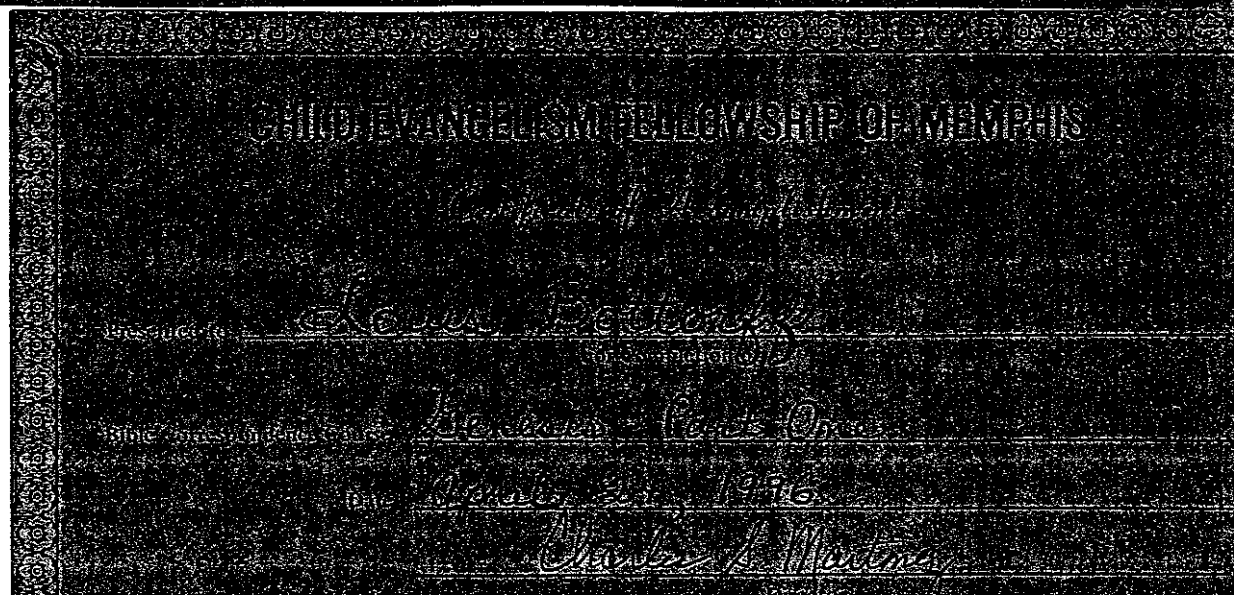
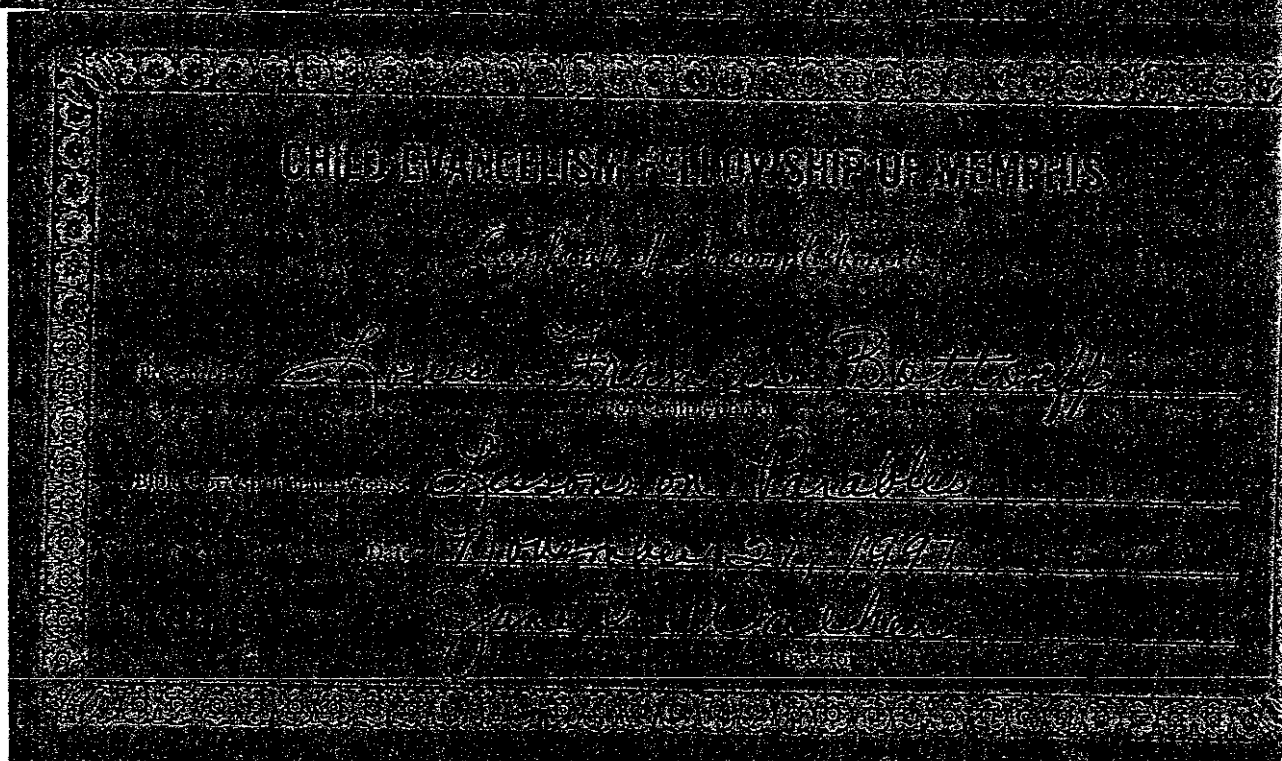
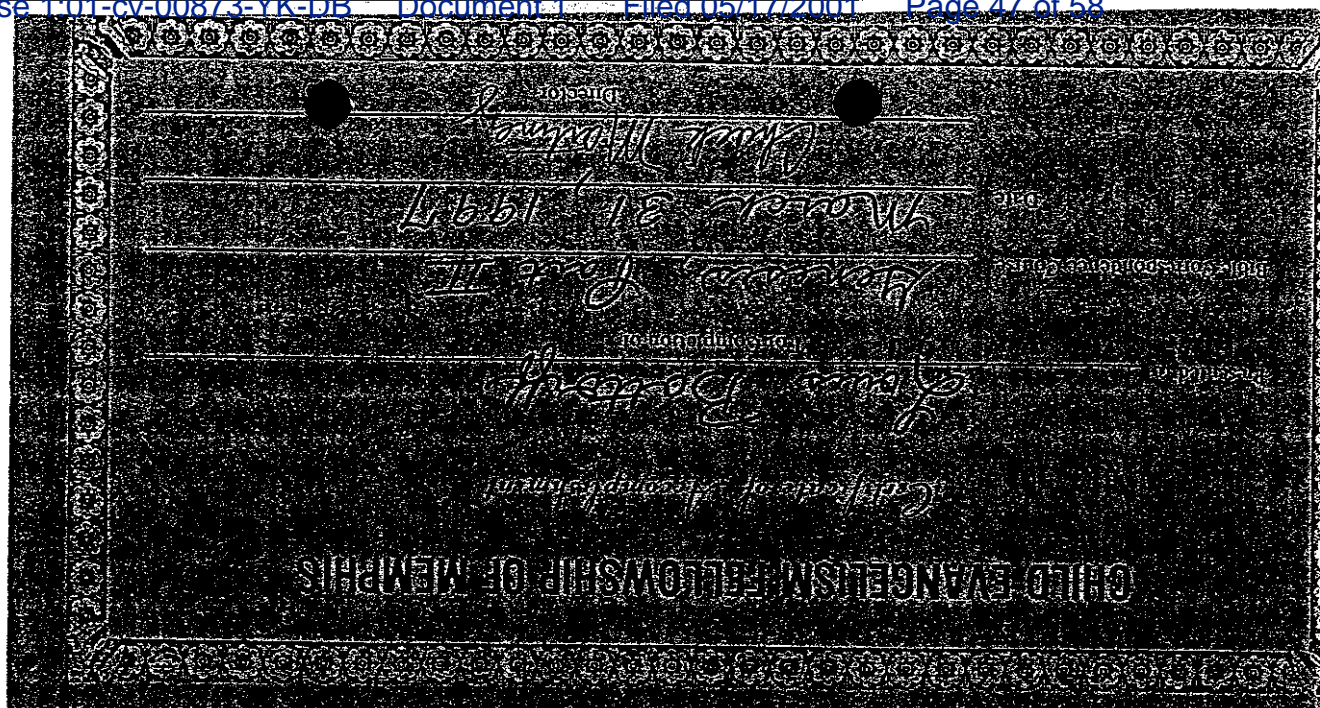
COURSE COMPLETION CERTIFICATE

USP LEWISBURG BIKE AND STAIRMASTER
ACROSS AMERICA 2000



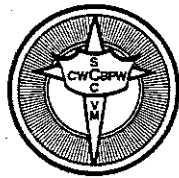
PRESENTED TO: **L. BOTTORFF**

PRESENTED BY: **T. CLAPPER, RECREATION SPECIALIST**



CERTIFICATE OF RECOGNITION

This certifies that
Louis Bottorff
has satisfactorily completed
The Light of Life Study of John
and is awarded this certificate by
Stonecroft Bible Correspondence Department



M. H. Sheets
Supervisor

Date *June 24, 1997*

Certificate of Baptism

This Certifies

That *Mr. Louis Bottorff*

Born *March 15* *1964*

was

Baptized

in the Name of the Father, and of the Son, and of the Holy Spirit.

on the *18th* day of *February* in the year of our Lord *1996*

Rev. Anthony Oakley

Pastor.

Date of this Certificate

February 18, 1996

Go therefore and make disciples of all nations, baptizing them in the name of the Father and of the Son and of the Holy Spirit.

Matthew 28:19

**Tri-State Jail Ministry
Copperhill, TN
Correspondence Bible Course**

CONFERS THIS CERTIFICATE OF MERIT
WHICH CERTIFIES THAT

Louis Bottorff

HAS SATISFACTORILY COMPLETED

True Begging Moses

DIRECTOR

Joby Chubb & Nov 1996



Mailbox Club



LIFE'S KEY

*This certifies that
LOUIS BOTTORFF
has successfully completed
BORN TO WIN
by correspondence*

March 9, 1999

97%

John J. Bell
DIRECTOR



Everyday
Publications



Tri-State Jail Ministry
Copperhill, TN
Correspondence Bible Course

CONFERS THIS CERTIFICATE OF MERIT
WHICH CERTIFIES THAT

Louis B. Hoffer

HAS SATISFACTORILY COMPLETED

Study on Salvation

DIRECTOR

Joby Crubbs Sr Dec 1995

Tri-State Jail Ministry
Copperhill, TN
Correspondence Bible Course

CONFERS THIS CERTIFICATE OF MERIT
WHICH CERTIFIES THAT

Louis B. Hoffer

HAS SATISFACTORILY COMPLETED

How To Become A Mature Christian

DIRECTOR

Joby Crubbs Sr Feb 1996

Certificate of Achievement

This certifies that

Louis Bottorff

has satisfactorily completed

Powerful Listening Skills

Consisting of 18 Hours of Training

This certificate is hereby issued this 8th day of July, 19 98

Anita McCoy
A. McCoy, A.C.E.
Coordinator

George Doebler
George Doebler, Supervisor
of Education

CERTIFICATE OF MEMBERSHIP

THE WABASH VALLEY JAYCEES, INC.

affiliated with

**THE UNITED STATES JAYCEES AND
JAYCEES INTERNATIONAL**

This is to Certify that

LOUIS BOTTOREFF

is a member in good standing,
and has paid dues to

September 1, 19 92

EXPIRATION DATE



C. K. Wayson
PRESIDENT

SECRETARY

Certificate

This certifies that

LOUIS BOTTORFF

has completed the

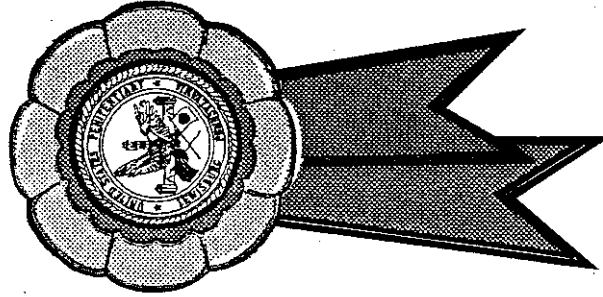
Personal Development Program

that consisted of 6 Hours
of group session.

Presented this 6TH day of

MAY, 1999

T. MEZLER
Facilitator



RECREATION CLUB, INC.
FROM THE
Certificate Of Membership



LOUIS BOTTROFF, is a Member in Good Standing
with Full Privileges Thereof.

LOUIS BOTTROFF

MAY 20th 1988

dated

President
Staff Sponsor

Certificate of Achievement

awarded to:

LOUIS BOTTORFF

ERROR RECOGNITION COURSE

Mar 10, 1991

Date

Edith Wood Q.A.M.

Signed

Certificate of Completion

This certifies that

Louis Bottorff

*has successfully satisfied the requirements of the Adult
Continuing Education four month seminar course in an
Introductory course in Guitar Music Theory.*

Dated May 26, 1994.



*R. Webster, Coordinator W.D. Gerth, Acting
Adult Continuing Education Supervisor of Education*

THE MAILBOX BIBLE CLUB

Certificate

This is to certify that



Louis Bottoaff

has satisfactorily completed Course I of the Mailbox Bible Club

and is awarded this Certificate.

12/10/96

Oscar H. Niet

DIRECTOR, BCM INTERNATIONAL, INC.

Veda Nicodemus

CLUB LEADER

DISTINGUISHED

Service

AWARD

MAY IT BE KNOWN
BY ALL WHO READ THIS THAT

Louis Bottonff

HAS BEEN PRESENTED THIS AWARD IN
RECOGNITION OF 2 YEARS OF OUTSTANDING SERVICE,
WITH

Wolf River Recreation Club

ORGANIZATION

PRESENTED THIS 23rd DAY OF March, 19 90

SIGNED

John Doyle

© August 1988